

**DECISION
AND
FINDING OF NO SIGNIFICANT IMPACT
for
CANADA GOOSE DAMAGE MANAGEMENT IN WEST VIRGINIA**

The U.S. Department of Agriculture, Animal and Plant Health Inspection Service (USDA APHIS), Wildlife Services (WS) program responds to requests for assistance from individuals, organizations and agencies experiencing damage caused by wildlife. Ordinarily, according to APHIS procedures implementing the National Environmental Policy Act (NEPA), individual wildlife damage management actions may be categorically excluded (7 CFR 372.5(c), 60 Fed. Reg. 6000-6003, 1995). To evaluate and determine if any potentially significant impacts to the human environment from WS' planned and proposed program would occur, an environmental assessment (EA) was prepared. The EA documents the need for Canada goose damage management in West Virginia and assessed potential impacts of various alternatives for responding to damage problems. The EA analyzes the potential environmental and social effects for resolving Canada goose damage related to the protection of resources, and health and safety on private and public lands in West Virginia. WS' proposed action is to implement an Integrated Wildlife Damage Management (IWDM) program on public and private lands in West Virginia. Comments from the public involvement process were reviewed for substantive issues and alternatives which were considered in developing this decision.

WS is the Federal program authorized by law to reduce damage caused by wildlife (Act of 1931, as amended (46 Stat. 1486; 7 U.S.C. 426-426c) and the Rural Development, Agriculture, and Related Agencies Appropriations Act of 1988, Public Law 100-102, Dec. 27, 1987. Stat. 1329-1331 (7 U.S.C. 426c). Wildlife damage management is the alleviation of damage or other problems caused by or related to the presence of wildlife, and is recognized as an integral part of wildlife management (The Wildlife Society 1992). WS uses an Integrated Wildlife Damage Management (IWDM) approach, commonly known as Integrated Pest Management (WS Directive 2.105) in which a combination of methods may be used or recommended to reduce damage. WS wildlife damage management is not based on punishing offending animals but as one means of reducing damage and is used as part of the WS Decision Model (Slate et al. 1992, USDA 1997, WS Directive 2.201). Resource management agencies, organizations, associations, groups, and individuals have requested WS to conduct Canada goose damage management to protect resources and human health and safety in West Virginia. All WS wildlife damage management activities are in compliance with relevant laws, regulations, policies, orders and procedures, including the Endangered Species Act of 1973.

Consistency

The analyses in the EA demonstrate that Alternative 1: 1) best addresses the issues identified in the EA, 2) provides safeguards for public health and safety, 3) provides WS the best opportunity to reduce damage while providing low impacts on nontarget species, 4) balances the economic effects to agricultural and natural resources, and property, and 5) allows WS to meet its obligations to government agencies or other entities.

Monitoring

The West Virginia WS program will annually provide to the U.S. Fish and Wildlife Service (FWS) and the West Virginia Division of Natural Resources the WS lethal take of target and nontarget

animals to help ensure the total statewide take (WS and other take) does not impact the viability of target and nontarget wildlife species. In addition, the EA will be reviewed each year to ensure that it and the analysis are sufficient.

Public Involvement

The pre-decisional EA was prepared and released to the public for a 38-day comment period (June 23-July 30, 2003) by a legal notice in 19 newspapers throughout West Virginia via the West Virginia Press Association. The Legal Notice was placed in each paper for three days (June 23, 24, and 25, 2003). The pre-decisional EA was also mailed directly to agencies, organizations, and individuals with probable interest in the proposed program. One comment letter was received from the public after review of the pre-decisional EA. All comments were analyzed to identify substantive new issues, alternatives, or to redirect the program. All letters and responses are maintained in the administrative file located at the West Virginia Wildlife Services Office, 730 Yokum Street, Elkins, WV 26241.

Major Issues

The EA describes the alternatives considered and evaluated using the identified issues. The following issues were identified as important to the scope of the analysis (40 CFR 1508.25).

- Effects on Target Canada Goose Populations
- Effectiveness of Wildlife damage Management
- Effects on Aesthetic Values
- Humaneness and Animal Welfare Concerns of Methods Used by WS
- Effects on Nontarget Wildlife Species Populations, Including T&E Species

Affected Environment

The proposed action will affect private and public lands in West Virginia including, but not necessarily limited to property on or adjacent to airports, golf courses, athletic fields, recreational areas, swimming beaches, parks, corporate complexes, subdivisions, businesses, industrial parks, schools, agricultural areas, natural areas, habitat restoration sites, and cemeteries.

Alternatives That Were Fully Evaluated

The following four alternatives were developed to respond to the issues. One additional alternative was considered but not analyzed in detail. A detailed discussion of the effects of the Alternatives on the issues is described in the EA; below is a summary of the Alternatives.

Alternative 1: Integrated Wildlife Damage Management (Proposed Action/No Action)

The proposed action is for the WS program to continue to implement an IWDM program that responds to requests for Canada goose damage management to protect property, agricultural crops, natural resources, human health, and human safety in West Virginia. Requests for assistance may occur anywhere and anytime in West Virginia. An IWDM approach would be implemented which would allow the use of legal techniques and methods, used singly or in combination, to meet requestor needs for reducing conflicts with Canada geese (*see* Appendix B of the EA). Cooperators requesting assistance would be provided with information regarding the use of effective non-lethal and lethal techniques. Non-lethal methods used by WS may include resource management, physical exclusion, and deterrents. Lethal methods used by WS may include nest and egg treatment/destruction, live capture and transportation to a licensed poultry processing facility, and live

capture and euthanasia. In many situations, the implementation of non-lethal methods such as habitat alteration, repellents, and exclusion type barriers would be the responsibility of the requestor to implement. Canada goose damage management by WS would be allowed in West Virginia, when requested, on private property or public facilities where a need has been documented and, upon completion of an *Agreement for Control*. All management actions would comply with appropriate federal, state, and local laws.

Alternative 2: Technical Assistance Only by WS

This alternative would not allow for WS operational Canada goose damage management in West Virginia. WS would only provide technical assistance and make recommendations when requested. Producers, property owners, agency personnel, or others could conduct Canada goose damage management using any legal lethal or non-lethal method. Currently, alpha-chloralose is only available for use by WS employees. Therefore, use of this chemical by private individuals would be illegal and unavailable for use. Appendix B of the EA describes a number of methods that could be employed by private individuals or other agencies after receiving technical assistance advice under this alternative.

Alternative 3: Non-lethal Only by WS

This alternative would require WS to use or recommend non-lethal methods only to resolve Canada goose damage problems. Persons receiving technical assistance could still employ lethal methods that were available to them. Appendix B of the EA describes a number of non-lethal methods available for use by WS under this alternative.

Alternative 4: No Federal WS Canada Goose Damage Management

This alternative would eliminate Federal involvement in Canada goose damage management in West Virginia. WS would not provide direct operational or technical assistance and requesters of WS services would conduct WDM without WS input. Information on Canada goose damage management methods may be available to producers and property owners through other sources such as USDA Agricultural Extension Service offices, universities, or pest control organizations.

Alternative Considered but not Analyzed in Detail:

Non-lethal Methods Implemented Before Lethal Methods

This alternative is similar to Alternative 1 except that WS personnel would be required to always recommend or use non-lethal methods prior to recommending or using lethal methods to reduce Canada goose damage. Both technical assistance and direct damage management would be provided in the context of a modified IWDM approach. Alternative 1, the Proposed Action, recognizes non-lethal methods as an important dimension of IWDM, gives them first consideration in the formulation of each management strategy, and recommends or uses them when practical before recommending or using lethal methods. However, the important distinction between the Non-lethal Methods First Alternative and the Proposed Alternative is that the former alternative would require that all non-lethal methods be used before any lethal methods are recommended or used. While the humaneness of the non-lethal management methods under this alternative would be comparable to the Proposed Program Alternative 1, the extra harassment caused by the required use of methods that may be ineffective could be considered less humane. As local Canada goose populations increase, the number of areas negatively affected by geese would increase, and greater numbers of geese would be expected to congregate at sites where non-lethal management efforts were not

effective. This may ultimately result in a greater numbers of geese being killed to achieve the local WAC than if lethal management were immediately implemented at problem locations (Manuwal 1989). Once lethal measures were implemented, Canada goose damage would be expected to drop relative to the reduction in localized population of Canada geese causing damage.

Since in many situations this alternative would result in greater numbers of geese being killed to achieve the local WAC, at a greater cost to the requester, and result in a delay in reaching the local WAC in comparison to the Proposed Alternative, the Non-lethal Methods Implemented Before Lethal Methods Alternative is removed from further discussion in this document.

Finding of No Significant Impact

The analysis in the EA indicates that there will not be a significant impact, individually or cumulatively, on the quality of the human environment as a result of this proposed action. I agree with this conclusion and therefore find that an EIS need not be prepared. This determination is based on the following factors:

1. Canada goose damage management as conducted by WS in West Virginia, is not regional or national in scope.
2. The proposed action would pose minimal risk to public health and safety. Risks to the public from WS methods were determined to be low in a formal risk assessment (USDA 1997, Appendix P).
3. There are no unique characteristics such as park lands, prime farm lands, wetlands, wild and scenic areas, or ecologically critical areas that would be significantly affected. Built-in mitigation measures that are part of WS's standard operating procedures and adherence to laws and regulations will further ensure that WS activities do not harm the environment.
4. The effects on the quality of the human environment are not highly controversial. Although there is some opposition to wildlife damage management, this action is not highly controversial in terms of size, nature, or effect.
5. Based on the analysis documented in the EA and the accompanying administrative file, the effects of the proposed damage management program on the human environment would not be significant. The effects of the proposed activities are not highly uncertain and do not involve unique or unknown risks.
6. The proposed action would not establish a precedent for any future action with significant effects.
7. No significant cumulative effects were identified through this assessment. The number of Canada geese killed by WS, when added to the total known other take of this species, would fall within population management objectives supported by the West Virginia Division of Natural Resources and Wildlife and the U.S. Fish and Wildlife Service. The EA discussed cumulative effects of WS on target and nontarget species populations and concluded that such impacts were not significant for this or other anticipated actions to be implemented or planned within the State.

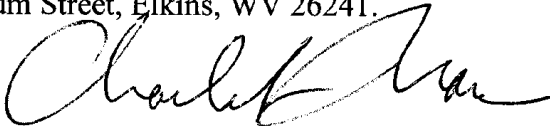
8. The proposed activities would not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor would they likely cause any loss or destruction of significant scientific, cultural, or historical resources.
9. WS has determined that the proposed program would have no effect on any Federally listed threatened or endangered (T&E) species or critical habitat. This determination is based on the conclusions made by the USFWS during their 1992 programmatic consultation of WS activities and subsequent Biological Opinion (USDA 1997, Appendix F). In addition WS has determined that the proposed program would no effect on any West Virginia state listed T&E species.
10. The proposed action would be in compliance with all federal, state, and local laws.

Decision and Rationale

I have carefully reviewed the Environmental Assessment (EA) prepared for this proposal and the input from the public involvement process. I believe that the issues identified in the EA are best addressed by selecting Alternative 1 (Integrated Wildlife Damage Management Program (Proposed Action/No Action) and applying the associated mitigation measures discussed in Chapter 3 of the EA.

Alternative 1 is selected because (1) it offers the greatest chance at maximizing effectiveness and benefits to resource owners and managers while minimizing cumulative impacts on the quality of the human environment that might result from the program's effect on target and nontarget species populations; (2) it presents the greatest chance of maximizing net benefits while minimizing adverse impacts to public health and safety; and, (3) it offers a balanced approach to the issues of humaneness and aesthetics when all facets of these issues are considered. The comments identified from public involvement were minor and did not change the analysis. Therefore, it is my decision to implement the proposed action as described in the EA.

Copies of the EA are available upon request from the West Virginia Wildlife Services Office, 730 Yokum Street, Elkins, WV 26241.



Charles S. Brown, Eastern Regional Director
APHIS-WS Eastern Region

Date

3/26/04

Literature Cited:

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Slate, D. A., R. Owens, G. Connolly, and G. Simmons. 1992. Decision making for wildlife damage management. Trans. North Am. Wildl. Nat. Res. Conf. 57:51-62.

The Wildlife Society. 1992. Conservation policies of The Wildlife Society: A stand on issues important to wildlife conservation. The Wildlife Society, Bethesda, Md. 24pp.

USDA (U. S. Department of Agriculture). 1997 (revised). Animal Damage Control Program Final Environmental Impact Statement. USDA, APHIS, ADC Operational Support Staff, 4700 River Road, Unit 87, Riverdale, MD 20737.